



**NHS Complaints
Self Help Information Pack
Cornwall**



In partnership with



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Introduction

- The National Health Service (NHS) works hard to treat everybody the way they would want to be treated and in a timely manner. In general, most people are happy with their experience of the NHS.
- However sometimes things can go wrong. If you are unhappy with the service you or others have received from a hospital, doctor, dentist, local surgery or any other NHS provider, you have the right to raise your concerns about it.
- Raising concerns or submitting complaints help NHS services to ensure good practice for all and sometimes helps them to put things right quickly.

How to Use this Pack

This pack aims to help you feel confident about raising your concerns yourself. It explains the different options for raising your concerns about the NHS care and/or treatment you are unhappy about, and offers practical tips, a step by step guide, a template complaint letter and things for you to think about.

Steps for Raising your Complaint

Step 1

Before you begin your complaint, it is important to be clear about what area of your NHS care you are unhappy about. This can be about any part of the NHS care/services you have received and may include:

- Treatment or care
- Attitudes of the staff
- Poor communication
- Waiting times
- Lack of information
- Failing to diagnose a condition

Tip:- It is always a good idea to write down what you want to complain about as simply and clearly as you can, so that you can refer back to it.

Step 2

Think about what outcomes you hope to achieve; your issues are more likely to be dealt with smoothly if you can be specific, realistic and aware that there are limits on what can be achieved using the NHS Complaints Procedure. The types of outcomes that may be achieved are:

- An explanation of what happened and why
- An apology
- What training, changes or service improvements might take place which will help to ensure a similar incident will not happen again.
- An investigation carried out

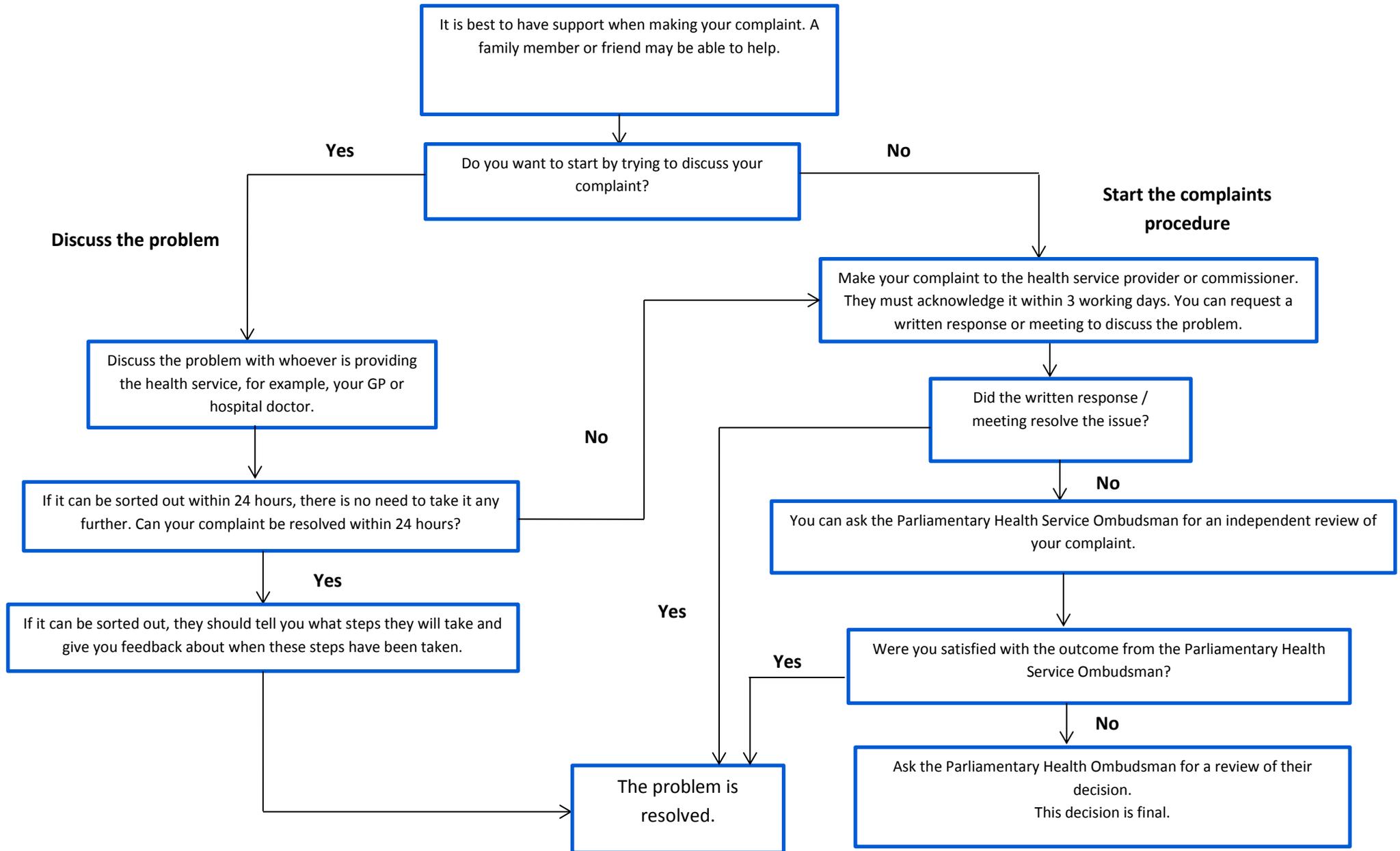
Step 3

Once you are clear about your complaint, the next step is to decide how you would like to raise your concerns. There are different ways you can do this depending on what you feel comfortable with. The ways your complaint can be raised could be:

- **Speaking to a member of staff directly** – Many complaints are caused by misunderstandings or poor communication that can often be put right once the problem is explained. If you feel you are able to, you can speak to a member of staff who has been directly involved in your care and treatment or ask to speak to their manager. This is often the quickest way to put things right and prevent issues from getting worse.
- **Speak to the Patient Advice and Liaison Service (PALS)** – If you feel uncomfortable about contacting the NHS member of staff directly, or you have tried and it has not resolved your issues, PALS may be able to help you and this service is free and available in all hospitals.
- **Submitting a complaint** - Complaints can be made by explaining what happened to you **in person, on the telephone, by e-mail or in a letter**. NHS organisations often prefer having complaints in writing. However, if you would prefer making your complaint on the telephone or in person ask to speak to the Complaints Manager and they should make a written record of your complaint and send you a copy. A complaint can also be multi-disciplinary if it involves more than one NHS provider and you can request in your complaint letter that you wish to receive a multi-disciplinary response.

Tip:- A complaint must be made within 12 months of the incident happening or within 12 months of the impact of the incident becoming known.

Complaints Procedure Flowchart



Types of Complaints and what to expect

The types of complaints can be regarding various organisations, and for different reasons, and can include:

- **Primary care providers such as dentists, district nurses, GPs, pharmacies and opticians** – Complaints to primary care providers can generally be made to the Practice Manager. However, if you do not feel comfortable making the complaint to the Practice Manager you can make your complaint to NHS England by calling **0300 311 22 33** or by visiting the website <https://www.england.nhs.uk>
- **Hospitals** – You can raise your complaint to the member of staff involved in your care and treatment. You can also go to PALS which is a service all hospitals provide for quick resolutions that deal with current issues. However, they are not an independent advocacy complaints organisation like seAp. Alternatively, you can contact the complaints department.
- **Care homes (NHS funded)** – Many care homes have their own complaints procedure to follow. However, they should still be aware of the NHS complaints procedure.
- **Community Services** – We have ambulance services and the Community Mental Health Team. You may wish to raise a complaint about these they are not providing adequate care and support. The contact details are listed at the back of this booklet.

Tip:- All NHS organisations have a duty to acknowledge your complaint within 3 working days. If you have not received an acknowledgement, you can ask if they have received your complaint because you have not received an acknowledgement.

When raising a complaint with the NHS you can expect:

- To be treated with courtesy and respect
- To be offered support to help you raise your concerns
- A timely response to be given where possible

If you are unhappy with the response, you can request a **local resolution meeting** to discuss the points you are unhappy with. You will also be given the option of taking your complaint to the **Parliamentary Health Service Ombudsman (PHSO)**.

Tip:- If you are looking to make a financial claim for clinical negligence, this must be done through a solicitor. A complaint can be made to gather information for a financial compensation claim.

Examples of complaints

- 'A patient was given incorrect information about a procedure and had to undergo corrective surgery as a result'
- 'A patient felt the nurse was rude and disrespectful on the ward and says she refused to give him his painkillers on time'
- 'A patient feels their GP isn't taking their symptoms seriously and continues to send them away without a referral to a specialist'
- 'A patient felt their consultation with the surgeon was rushed and the surgeon wasn't clear in explaining what was wrong'
- 'An elderly patient had to wait more than 3 hours for hospital transport home after a routine procedure'
- 'A patient feels their mental health diagnosis is incorrect and that the psychiatrist isn't listening to them'
- 'A patient thinks they are on the wrong medication as the side effects are very unpleasant; their GP won't change the prescription'

Frequently asked questions

- **Who can complain?**

Any patient treated by the NHS can complain about any NHS service they have received which they are unhappy about. You can complain on behalf of someone else in certain circumstances (see more below). NHS services include treatment and care given by your GP, dental surgery, hospital and the ambulance service. Anyone who is affected, or likely to be affected, by the action, omission or decision of an NHS body can make a complaint.

- **My mother is elderly and I don't feel she could manage a complaints process. Can I complain for her?**

You may complain on behalf of a friend or relative as long as they agree; you should get their permission in writing. The NHS organisation may request complainants to also sign a consent form prior to carrying out an investigation.

- **My partner has Alzheimer's disease; do I still need her permission to make a complaint?**

If your friend or relative is very ill, or does not have the capacity to give permission because of an impairment or a disability, you may complain on their behalf without their permission, although the trust will confirm the patient's lack of capacity before accepting the complaint. If they do not accept the complaint they must inform you in writing why they have made this decision.

- **My father died and I didn't have his consent to act for him; can I make a complaint about his treatment?**

Yes, you may raise a complaint or take over a complaint on behalf of a friend or relative who has died even if you did not have their written permission. In some cases the NHS may decide not to accept you as a personal representative; they will discuss this with you.

- **My nephew is 15 and has Down's syndrome. Can I complain on his behalf without his written permission?**

A complaint can be made on behalf of a child (Under 18) if the child is unable to make the complaint themselves. NHS organisations must not consider a complaint made by a representative of a child unless they are sure that the child is unable to complain themselves; they must inform you in writing if they make this decision and tell you why.

- **Can I complain about something which happened in the past?**

It depends on how long ago it happened. You should make your complaint within 12 months of the incident happening.

OR

Within 12 months of you realising you had something to complain about. NHS organisations are allowed to waive this time limit at their discretion if there are good reasons why you could not complain earlier; one such case might be if you were too ill to complain at the time.

- **I had an operation in a private hospital; can I complain to the NHS?**

It depends. If the NHS paid for your operation in a private hospital you can complain to the NHS.

If you paid for your treatment yourself, or with private medical insurance, you cannot complain to the NHS.

The private hospital will have its own complaints procedure which you should follow.

- **I want to sue the surgeon who operated on me; how do I go about it?**

You will need to take legal action if you want to make a claim for clinical negligence; the NHS Complaints Procedure does not deal with these cases. We can provide details of local specialist solicitors upon request, or you can discuss this with us by booking an appointment at one of our Community Help Points. For more information call our Cornwall Hub on: **0300 343 5706**.

Contact details for Complaints

Derriford Hospital	Alison Stanton	Complaints & PALS Manager Plymouth NHS Trust Level 7 Derriford Hospital Derriford Road Plymouth PL6 8DH	Pauline Bolwell: 01752 431651 Andrea Lyons: 01752 432039 Chris Hargreaves: 01752 432041	plh-tr.Complaints-PatientServices@nhs.net
RCHT (including St Michael's in Hayle, West Cornwall in Penzance, Treliske in Truro)	N/A	Patient and Family Experience Team PALS & Complaints Royal Cornwall Hospitals Trust Treliske Truro TR1 3LJ	Main Switchboard: 01872 250000 Direct lines to PALS & Complaints: 01872 252793 or 01872 253474	rcht.patientexperience@nhs.net
Kernow CCG	Jodeigh Phelps	Complaints Management Team NHS Kernow Sedgemoor Centre Priory Road St Austell PL25 5AS	Jodeigh Phelps: 01726 627975	kccg.complaints@nhs.net
Cornwall Partnership NHS Foundation Trust CMHT (Community Mental Health Team)	Janet Hart	Patient Experience Team Banham House Bodmin Hospital Boundary Road Bodmin PL31 1FB	Main Line: 01208 834620	cpn-tr.Palscft@nhs.net

Community Hospitals (except those under RCHT)	Janet Hart	Patient Experience Team Banham House Bodmin Hospital Boundary Road Bodmin PL31 1FB	Main Line: 01208 834620	cpn-tr.Palscft@nhs.net
NHS England	N/A	PO Box 16738 Redditch B97 9PT	0300 311 22 33	Please state: 'For the attention of the complaints team' in the subject line. england.contactus@nhs.net
The Parliamentary and Health Service Ombudsman	N/A	Millbank Tower Millbank London SW1P 4QP	0345 015 4033	phso.enquiries@ombudsman.org.uk
South Western Ambulance Service NHS Foundation Trust	N/A	Abbey Court Eagle Way Exeter Devon EX2 7HY	Reception: 01392 261500 OR Patient Experience (including Comments, Concerns and Complaints): 01392 261585	http://www.swast.nhs.uk/Get%20in%20touch



Contact Advocacy in Cornwall:

PO Box 375,
Hastings,
TN34 3HU

Tel: 0300 343 5706

Email: info@advocacyincornwall.org.uk

Text: SEAP to 80800 followed by your message

Online referrals: spartan.seap.org.uk

Website: www.advocacyincornwall.org.uk

www.seap.org.uk



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